

# **Notice of Allowability**

Application No.

09/829,538

Examiner

Tammy T. Nguyen

Applicant(s)

SCHWARTZ ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to February 22, 2005.
2. ☒ The allowed claim(s) is/are 1,2,4-15,17-21,23-30 and 32-35.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☒ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## **Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 2/22/05, 4/19/05
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
**DAVID WILEY**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2100**



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COMMISSIONER FOR PATENT  
UNITED STATES PATENT AND TRADEMARK OFFICE  
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**EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Ms. Paula D. Heyman on July 19, 2005.

3. The applicant has been amended as follow:

In the specification:

Please add the following paragraph on line 3 (after the title of the invention) of the specification of the instant application:

“ This Application claims the benefit of U.S. Provisional Application No.60/258,144 filed December 22, 2000”

In the claims:

Claim1, line 12, after the words “data including” have been added to -- a contextual communication summary and data including--.

Line 17, after the words “ data including a selected follow-through action” have been added to -- after transmitting the data packet including the contextual communication summary and the data packet including the plurality of follow-through actions--.

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Claim 15, line 13, after the words “ a services menu and an arrangement options menu; “ have been added – selecting the follow-through action menu for transmission to the mediation subscriber communication device, the follow-through action menu including a plurality of follow-through actions; --

Line 15, after the words “ data including “ deleted -- the selected mediation information menu, the selected mediation information menu – and added – a contextual communication summary and data including the plurality of follow-through actions, the plurality of follow-through actions--.

Line 19, after the words “ data including a selected response from the” have been deleted – selected media information menu – and added – follow-through action menu after transmitting the data packet including the contextual communication summary and the data packet including the plurality of follow-through actions, the selected response including a selected follow-through action; --

Claim 16 is cancelled.

Claim 20, line 13, after the words “data including” have been added – a contextual communication summary and data including –

Line 18, after the words “data including a selected follow-through action” have been added – after transmitting the data packet including the contextual communication summary and the data packet including the plurality of follow-through actions; --.

Claim 30, line 16, after the words “ a services menu and an arrangement options menu;” have been added – select the follow-through action menu for transmission to the mediation subscriber communication device, the follow-through action menu including a plurality of follow-through actions; --

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Line 18, after the words “ data including” deleted -- the selected mediation information menu, the selected mediation information menu – and added -- a contextual communication summary and data including the plurality of follow-through actions, the plurality of follow-through actions –

Line 20, after the words “ data including a selected response from the” deleted – selected media information menu -- and added – follow-through action menu after transmitting the data packet including the contextual communication summary and the data packet including the plurality of follow-through actions, the selected response including a selected follow-through action; --

Claim 31 is cancelled.

Claim 35, line 13, after the words “ data including” have been added -- a contextual communication summary and data including –

Line 18, after the words “ data including a selected follow-through action” have been added – after transmitting the data packet including the contextual communication summary and the data packet including the plurality of follow-through actions; --

### Reasons for allowance

4. Claims 1,2, 4-15, 17-21, 23-30, and 32-35 are allowed in response to applicant's persuasive arguments.
5. The following is an examiner's statement of reasons for allowance: None of the prior art teach or suggest the a method for facilitating mediated virtual communication, comprising: receiving, by a mediation system, a request for voice-

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based communication from a communication device of a mediated party, the request for voice-based communication requesting commencement of a telephone call between the communication device of the mediated party subscriber, wherein facilitating data-based communication includes: transmitting, for reception by the mediation subscriber communication device, data including a contextual communication summary and data including a plurality of follow-through actions associated with the requested telephone call, the plurality of follow-through actions to be displayed on the mediation subscriber communication device for selection by the mediation subscriber; and receiving, from the mediation subscriber communication device, data including a selected follow-through action after transmitting the data packet including the contextual communication summary and the data packet including the plurality of follow-through actions; and facilitating voice-based communication of the selected follow-through action, by the mediation system, for performing a mediated follow-through operation associated with the mediated party.

6 All dependent claims further limit the independent claim. Therefore, they are also allowed

7. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


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***Conclusion***

8. Any inquiries concerning this communication or earlier communications from the examiner should be directed to **Tammy T. Nguyen** who may be reached via telephone at **(571) 272-3929**. The examiner can normally be reached Monday through Friday between 8:00 a.m. and 5:00 p.m. eastern standard time.

If you need to send the Examiner, a facsimile transmission regarding this instant application, please send it to **(703) 872-9306**. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's Supervisor, David Wiley, may be reached at **(571) 272-3923**.

*TTN*  
July 19, 2005

  
**DAVID WILEY**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2100**